

Reclamation Manual

Policy

Subject: Acreage Limitation Program

Purpose: Establishes policy for the implementation, administration, and enforcement of the acreage limitation provisions of Federal reclamation law and the associated regulations.

Authority: The Reclamation Act of 1902 (Act of June 17, 1902; 32 Stat. 388), as amended, including but not limited to the Reclamation Reform Act of 1982 (RRA) (43 U.S.C. 390aa, et seq.); the Acreage Limitation Rules and Regulations (43 CFR Part 426); and the Information Requirements for Certain Farm Operations in Excess of 960 Acres and the Eligibility of Certain Formerly Excess Land (43 CFR Part 428).

Contact: Reclamation Law and Revenues Management Office, D-5200

1. **Purpose of the Acreage Limitation Provisions.** The purpose of the acreage limitation provisions of Federal reclamation law is to ensure that the benefits of the Reclamation program reach a wide distribution of landholders (direct or indirect landowners or lessees).
2. **Policy Regarding the Acreage Limitation Provisions.** Reclamation will administer and enforce the acreage limitation provisions of Federal reclamation law to ensure that landholders benefit from the receipt of Reclamation irrigation water in accordance with the ownership and pricing limitations and other requirements of the RRA and the associated regulations.
3. **Policy Accomplishment.** The acreage limitation provisions will be accomplished through the following:
 - A. **District Responsibilities.** Districts subject to the acreage limitation provisions perform the daily administration and enforcement of activities associated with the acreage limitation provisions. For example, districts are responsible for distributing, collecting, and reviewing landholder RRA forms; identifying land held in excess of the ownership or pricing limitations; paying the appropriate rate for the delivery of Reclamation irrigation water; and withholding the delivery of Reclamation irrigation water to land that is ineligible to receive such water pursuant to provisions in the RRA and the associated regulations.
 - B. **Program Evaluation Function.** A Program Evaluation function has been established wherein Reclamation performs compliance reviews of districts, individual landholders, and operators on a 3-year cycle.

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- (1) **Purpose.** Regional and area office personnel review each district at least once in each 3-year cycle to ensure that: (a) the acreage limitation provisions are being consistently applied throughout Reclamation projects, (b) districts are correctly administering and enforcing the requirements of the RRA and the associated regulations, (c) landholders are in compliance with these requirements, (d) Reclamation irrigation water is not being delivered to ineligible land, (e) the proper rate is being paid for the delivery of Reclamation irrigation water, and (f) applicable criteria have been met in those cases where the RRA permits exemptions from full application of the acreage limitation provisions.
 - (2) **Scope.** Reviews apply to all landholders, including those that are exempt from the RRA form requirements because their acreage within Reclamation projects does not exceed the applicable RRA forms submittal threshold. However, particular emphasis is placed on audits of landholders and operators whose total acreage subject to acreage limitation exceeds 960 acres.
 - (3) **Corrective Actions.** After compliance reviews are completed, any corrective actions needed are initiated in a timely manner to prevent identified problems from compounding. Frequently, Regional Directors issue corrective actions to districts in the form of final determinations.
- C. **RRA Reference Manual.** The RRA Reference Manual is used by all Reclamation staff as the main reference source for specific guidance on implementation of the acreage limitation provisions in the RRA and the associated regulations. This ensures that the RRA and the associated regulations are administered and enforced consistently throughout Reclamation. (Refer to Reclamation Manual PEC 02-02 for more information about the RRA Reference Manual.)
- D. **RRA Training.** Generally, RRA training is provided every 3 years to all Reclamation staff who are involved in the administration and enforcement of the acreage limitation provisions. This ensures that staff are knowledgeable about the statutory and regulatory acreage limitation provisions and related policies and directives. RRA training for both district staff and Reclamation staff is held on an “as needed” basis.
4. **Authority.** The Commissioner’s authority to make final determinations concerning the acreage limitation provisions is delegated to the Regional Directors as per 43 CFR 426.24(a)(1), with the exception of those authorities retained by the Commissioner or otherwise redelegated as specified in the RRA Reference Manual.